

1 **Robert LeFever**
 04:24:48 2 **Q.** Or anything about the suicide-
 04:24:51 3 prevention policies in place?
 04:24:54 4 **A.** Don't remember.
 04:25:01 5 **MS. BERG:** Just give us a
 04:25:04 6 minute, please.
 04:25:11 7 *(Recess taken)*
 04:25:16 8 **MS. BERG:** Can I have marked
 04:25:19 9 as Exhibit 41 a copy of a Chairman's
 04:25:22 10 Memorandum from November 10th of '06.
 04:25:25 11 *(Whereupon, 11/10/06 Chairman's*
 04:25:28 12 *Memorandum Number 9-2006, was marked as*
 04:25:31 13 *Plaintiff's Exhibit No. 41, for id.)*
 04:25:34 14 **CONTINUED EXAMINATION BY MS. BERG:**
 04:25:37 15 **Q.** Did you ever see Exhibit 41?
 04:25:40 16 *(Handing)*
 04:25:43 17 **A.** I don't remember it.
 04:25:46 18 **Q.** Do you recall anything about the
 04:25:49 19 substance of it?
 04:25:52 20 **A.** No.
 04:25:55 21 **MS. BERG:** Let me have
 04:25:58 22 marked as Exhibit 42, a copy of a computer
 04:26:01 23 screen with handwritten notes on the
 04:26:04 24 bottom, consisting of two pages. It says
 04:26:07 25 "Spoke with Capt'n LeFever, 5/22/06."
COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:26:10 2 *(Handing)*
 04:26:13 3 **A.** Don't remember it.
 04:26:16 4 **Q.** In the first paragraph, it refers to
 04:26:19 5 the officer who administered the suicide
 04:26:22 6 screening did not follow policy.
 04:26:25 7 Do you see that?
 04:26:28 8 **A.** In Number 1?
 04:26:31 9 **Q.** Yes.
 04:26:34 10 **A.** Yes.
 04:26:37 11 **Q.** That was Vasaturo; correct?
 04:26:40 12 **A.** Yes.
 04:26:43 13 **Q.** And on the bottom of that paragraph
 04:26:46 14 it says, "The employee is currently pending
 04:26:49 15 discipline." Do you see that?
 04:26:52 16 **A.** Yes.
 04:26:55 17 **Q.** Are you aware of any discipline that
 04:26:58 18 was pending?
 04:27:01 19 **A.** I'm not aware of any.
 04:27:04 20 **Q.** Same question for Paragraph 2 - that
 04:27:07 21 refers to LaPolla, correct, the shift supervisor?
 04:27:10 22 **A.** Yes.
 04:27:13 23 **Q.** And it says that supervisor is
 04:27:16 24 pending discipline.
 04:27:19 25 Are you aware of any discipline that
COMPU-TRAN SHORTHAND REPORTING

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 1 **Robert LeFever**
 04:27:22 2 *(Whereupon, copy of computer screen*
 04:27:25 3 *with handwritten notes was marked as*
 04:27:28 4 *Plaintiff's Exhibit No. 42, for id.)*
 04:27:31 5 **Q.** First of all, Exhibit 42, is that
 04:27:34 6 your handwriting anywhere?
 04:27:37 7 **A.** No.
 04:27:40 8 **Q.** Do you recall speaking with anybody
 04:27:43 9 from the Commission on May 22nd, 2006?
 04:27:46 10 **A.** No.
 04:27:49 11 **Q.** Take a look, if you would, just at
 04:27:52 12 the notes that are contained here. As best you
 04:27:55 13 can recall, tell me if this refreshes your
 04:27:58 14 recollection about any conversation that you had
 04:28:01 15 with a member of the Commission.
 04:28:04 16 **A.** No.
 04:28:07 17 **Q.** Looking at the notes doesn't refresh
 04:28:10 18 your recollection?
 04:28:13 19 **A.** No.
 04:28:16 20 **MS. BERG:** Let me have
 04:28:19 21 marked as 43, a October 25th, 2006, memo
 04:28:22 22 from Sheriff Smith to Commissioner Lamy.
 04:28:25 23 *(Whereupon, 10/25/06 memo was marked*
 04:28:28 24 *as Plaintiff's Exhibit No. 43, for id.)*
 04:28:31 25 **Q.** Have you ever seen Exhibit 43?
COMPU-TRAN SHORTHAND REPORTING

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 1 **Robert LeFever**
 04:27:47 2 was or is pending?
 04:27:50 3 **A.** No.
 04:27:53 4 **Q.** Did you assist Sheriff Smith in any
 04:27:56 5 way in drafting this letter?
 04:27:59 6 **A.** I don't recall.
 04:28:02 7 **Q.** Did he consult you about the
 04:28:05 8 contents of it at any point?
 04:28:08 9 **A.** Don't recall.
 04:28:11 10 **Q.** Is there anybody in Putnam County
 04:28:14 11 who has any responsibility to review situations
 04:28:17 12 involving inmate harm - suicide, physical
 04:28:20 13 assault, anything like that - with a view towards
 04:28:23 14 taking any corrective action by changing
 04:28:26 15 policies, doing more training, or anything along
 04:28:29 16 those lines?
 04:28:32 17 **A.** No.
 04:28:35 18 **Q.** That's been true, as far as you
 04:28:38 19 know, the entire time you've been working for
 04:28:41 20 Putnam County?
 04:28:44 21 **A.** Yes.
 04:28:47 22 **Q.** Are members of the staff instructed
 04:28:50 23 or trained as to who can stop CPR?
 04:28:53 24 **A.** Yes.
 04:28:56 25 **Q.** And does that take the form of
COMPU-TRAN SHORTHAND REPORTING

Robert LeFever

1 verbal, then?
 2 **A. Well, everyone's trained in first**
 3 **responder or EMT.**
 4 **Q. But in terms of who can stop it, is**
 5 **that something that's verbally told?**
 6 **A. No; it's in the training.**
 7 **Q. Is it in a part of a written manual?**
 8 **A. No.**
 9 **Q. So, it's verbally communicated to**
 10 **them?**
 11 **A. Yes.**
 12 **Q. As part of this training?**
 13 **A. Yes.**
 14 **Q. And they're told what, with respect**
 15 **to what a nurse can do?**
 16 **A. We're not told anything about what**
 17 **nurses can do.**
 18 **Q. What are you told with respect to**
 19 **what a correction officer or member of the staff**
 20 **can do?**
 21 **A. Well, again, it goes back to the**
 22 **first responder or EMT training. It's not --**
 23 **it's not like being a correction officer. It's**
 24 **being trained medically as first responder or**
 25 **COMPU-TRAN SHORTHAND REPORTING**

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Robert LeFever

1 **EMT.**
 2 **Q. Okay. And who can stop CPR**
 3 **according to that, then?**
 4 **A. The next highest level person**
 5 **trained.**
 6 **Q. You don't know whether that would be**
 7 **a nurse?**
 8 **A. I do not know.**
 9 **MS. BERG: Let me have**
 10 **marked as Exhibit 44 a copy of a one-page**
 11 **series of handwritten notes. It says**
 12 **"Rivera, Suicide" at the top.**
 13 **(Whereupon, handwritten note**
 14 **entitled Rivera, Suicide, was marked as**
 15 **Plaintiff's Exhibit No. 44, for id.)**
 16 **Q. Do you recognize any of the**
 17 **handwriting that's on Exhibit 44?**
 18 **A. Yes.**
 19 **Q. Is that yours?**
 20 **A. Yes.**
 21 **Q. All of it?**
 22 **A. I believe so.**
 23 **Q. And do you recall when you made**
 24 **these notes?**
 25 **COMPU-TRAN SHORTHAND REPORTING**

COMPU-TRAN SHORTHAND REPORTING

Robert LeFever

1 **A. ...**
 2 **Q. On the top portion... Salter?**
 3 **A. Sadler.**
 4 **Q. Oh, Sadler. Is that the**
 5 **psychiatrist?**
 6 **A. Yes.**
 7 **Q. And what does that indicate there?**
 8 **Is that a conversation you had with him or**
 9 **something else?**
 10 **A. No; just notes.**
 11 **Q. And where did you get the**
 12 **information that you noted there in terms of,**
 13 **"Doesn't remember who told him he is agitated;**
 14 **doesn't see detox people."**
 15 **A. I don't remember.**
 16 **Q. And there's a line about a quarter**
 17 **of the way down/a third of the way down. And**
 18 **then it, says "Minor issues."**
 19 **A. Yes.**
 20 **Q. And then, the first thing is**
 21 **"Housing unit officers smoke."**
 22 **A. Yes.**
 23 **Q. That's referring to him taking a**
 24 **cigarette break; correct?**
 25 **COMPU-TRAN SHORTHAND REPORTING**

COMPU-TRAN SHORTHAND REPORTING

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Robert LeFever

1 **A. I believe so.**
 2 **Q. And then the next thing is,**
 3 **"Vasaturo did not have specific entries for**
 4 **15-minute checks; rounded check times."**
 5 **Do you see that?**
 6 **A. Yes.**
 7 **Q. Do you recall where you got that**
 8 **information?**
 9 **A. No.**
 10 **Q. Do you recall having conversations**
 11 **with anybody about that?**
 12 **A. No.**
 13 **Q. Did you ever speak with Vasaturo**
 14 **about that?**
 15 **A. Well, according to the 2004 memo, I**
 16 **did, or someone did. I don't know who. It**
 17 **wasn't me.**
 18 **Q. On the bottom it says, "Sergeant**
 19 **Chambers said, 'Would not change anything.'"**
 20 **Do you recall having a conversation**
 21 **with her about whether or not she would have**
 22 **changed anything on the screening form for**
 23 **Rivera?**
 24 **A. I don't remember a conversation.**
 25 **COMPU-TRAN SHORTHAND REPORTING**

COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:42:28 2 **Q.** Do you recall anything as to why you
 04:42:28 3 took these notes?
 04:42:28 4 **A.** I believe, in preparation for a
 04:42:28 5 memorandum.
 04:42:33 6 **Q.** To Captain LeFever -- I'm sorry. To
 04:42:33 7 Undersheriff Convery?
 04:42:38 8 **A.** Yes.
 04:42:38 9 **Q.** And that was the memo that we had
 04:42:40 10 marked earlier as Exhibit 39?
 04:42:40 11 **A.** Yes.
 04:42:40 12 **Q.** Did anybody, either in writing or
 04:42:48 13 verbally, ever ask you questions like you were
 04:42:50 14 asked in 2004 pertaining to Rivera, but
 04:42:56 15 pertaining to Spencer Sinkov?
 04:42:57 16 **A.** I don't believe so.
 04:43:00 17 **MS. BERG:** Let me have
 04:43:07 18 marked as Exhibit 45 a copy of Progress
 04:43:04 19 Notes regarding Rivera.
 04:43:06 20 *(Whereupon, Progress Notes regarding*
 04:43:17 21 *Rivera, marked as Plaintiff's Exhibit No.*
 04:43:19 22 *45, for id.)*
 04:43:54 23 **Q.** Do you recall if you ever saw the
 04:43:55 24 Progress Notes for Rivera, which are before you
 04:43:56 25 as Exhibit 45?

COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:44:06 2 available?
 04:44:06 3 **A.** I don't know offhand.
 04:44:07 4 **Q.** Who's responsible for handling that
 04:44:09 5 aspect?
 04:44:09 6 **A.** The nursing staff.
 04:44:30 7 **Q.** Of AmeriCor?
 04:45:01 8 **A.** Yes.
 04:45:01 9 **Q.** And how about programs?
 04:45:03 10 **A.** No, there are no programs.
 04:45:05 11 **Q.** Have you ever had any conversations
 04:45:07 12 with anybody about why there are no programs?
 04:45:08 13 **A.** No.
 04:45:10 14 **Q.** Or whether or not there should be?
 04:45:12 15 **A.** There should be.
 04:45:13 16 **Q.** There should be?
 04:45:14 17 **A.** Yes.
 04:45:14 18 **Q.** Who did you discuss that with, if
 04:45:16 19 anyone?
 04:45:17 20 **A.** I don't think, anybody.
 04:45:18 21 **Q.** Do you know who in the county has
 04:45:20 22 the authority to create a program for somebody
 04:45:23 23 who's, for example, going through withdrawal or
 04:45:25 24 detox?
 04:45:25 25 **A.** No.

COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:43:59 2 **A.** No, I do not recall.
 04:44:00 3 **Q.** On the last entry, November 15th,
 04:44:04 4 '03, five lines from the bottom, it looks like it
 04:44:10 5 says "2/03," but it's changed. "States asystole.
 04:44:15 6 Call placed by Alamo EMS attendant, Michael
 04:44:20 7 Revinson, to PHC medical director. Pronounced
 04:44:24 8 inmate 2:20 p.m."
 04:44:25 9 **Q.** Do you see that?
 04:44:25 10 **A.** Yes.
 04:44:26 11 **Q.** Do you recall if there were any
 04:44:27 12 procedures at that time which required the Putnam
 04:44:31 13 Hospital Center medical director to be notified --
 04:44:33 14 **A.** No.
 04:44:35 15 **Q.** -- prior to stopping CPR efforts or
 04:44:37 16 anything else?
 04:44:37 17 **A.** No.
 04:44:38 18 **Q.** Are there any programs in place at
 04:44:40 19 the Putnam County Correctional Facility for
 04:44:41 20 inmates who are going through withdrawal or
 04:44:47 21 detox?
 04:44:47 22 **A.** Programs or medical treatment?
 04:44:47 23 **Q.** Start with medical treatment.
 04:44:50 24 **A.** Medical treatment, yes.
 04:44:54 25 **Q.** What is the medical treatment that's

COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:45:27 2 **Q.** Counseling or otherwise?
 04:45:28 3 **A.** No.
 04:45:28 4 **Q.** Did you ever discuss anything about
 04:45:31 5 the need for programs in your view with anybody
 04:45:34 6 in the administration?
 04:45:35 7 **A.** I don't think so.
 04:45:35 8 **Q.** The Smith administration or otherwise?
 04:45:37 9 **A.** I don't think so.
 04:45:40 10 **Q.** Have you ever had a situation where
 04:45:42 11 a correction officer has made a recommendation
 04:45:44 12 that somebody receive medical treatment for
 04:45:46 13 withdrawal or detox?
 04:45:50 14 **A.** Not that I can recall.
 04:45:51 15 **Q.** Have officers ever been trained to
 04:45:54 16 do that?
 04:45:54 17 **A.** No.
 04:45:54 18 **Q.** Have you ever had a situation where
 04:45:57 19 an officer has made a recommendation for somebody
 04:45:59 20 to attend some kind of program for detox or
 04:46:02 21 withdrawal?
 04:46:03 22 **A.** Not that I can remember.
 04:46:11 23 **Q.** Any answers that you've given that
 04:46:13 24 you want to modify or change?
 04:46:14 25 **A.** No.

COMPU-TRAN SHORTHAND REPORTING

Robert LeFever

1
04:46:14 2 MS. BERG: I don't have
04:46:15 3 anything else.
04:46:16 4 EXAMINATION BY MR. KLEINBERG:
04:46:17 5 Q. Captain LeFever, I just have a few
04:46:20 6 questions for you. My name is Adam Kleinberg. I
04:46:22 7 represent the sheriff in this action.
04:46:24 8 If you could please take a look at
04:46:25 9 Exhibit 2, I just wanted to ask you some
04:46:28 10 questions.
04:46:36 11 A. (Witness complies)
04:46:42 12 Q. Actually, I'm going to ask you to
04:46:43 13 take a look at Exhibit 3, as well.
04:46:47 14 A. (Witness complies)
04:46:48 15 Q. Looking at Exhibit 3, do you see
04:46:50 16 where it says, "Action to be taken by screening
04:46:53 17 officer"?
04:46:55 18 A. Yes.
04:46:55 19 Q. And do you see where it says, "If
04:46:58 20 total in column A is eight or more, or any shaded
04:47:02 21 boxes checked, or if the screening officer feels
04:47:05 22 it is necessary, to notify shift supervisor"?
04:47:07 23 A. Yes.
04:47:08 24 Q. So, is it your understanding that if
04:47:10 25 a shaded box is checked, that according to this

COMPU-TRAN SHORTHAND REPORTING

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Robert LeFever

1
04:47:13 2 form, the booking officer or the screening
04:47:17 3 officer is to notify his or her shift supervisor?
04:47:21 4 A. Yes.
04:47:21 5 Q. If you'll look at Exhibit 2 -- and
04:47:26 6 I'm going to ask you to take a look at the page
04:47:28 7 that says "15.2" at the bottom.
04:47:33 8 A. (Witness complies)
04:47:35 9 Q. Do you see where it says -- Number 3,
04:47:40 10 it says, "Immediately notify the tour supervisor
04:47:44 11 whenever a prisoner: A: Scores in the high-risk
04:47:48 12 (Score of eight in Column A) or immediate-
04:47:51 13 referral categories on the Suicide Prevention
04:47:53 14 Screening form."
04:48:00 15 Do you see that?
04:48:00 16 A. Yes.
04:48:00 17 Q. Do you have an understanding as to
04:48:03 18 whether this was the policy in effect in May of
04:48:07 19 2006?
04:48:07 20 A. Yes.
04:48:10 21 Q. When it says "Immediate referral
04:48:15 22 categories," does that refer to the shaded boxes?
04:48:16 23 A. Yes.
04:48:16 24 Q. If you'll take a look, also, in
04:48:24 25 Exhibit 2 in the Pages 15.6, do you see where it

COMPU-TRAN SHORTHAND REPORTING

Robert LeFever

1
04:48:35 2 says, Number 3, "Tour supervisor will: A.:
04:48:38 3 Assure that constant supervision is immediately
04:48:42 4 provided for the following types of prisoners:
04:48:45 5 1.: Suicidal prisoners."
04:48:48 6 Do you see that?
04:48:50 7 A. Yes.
04:48:58 8 Q. The tour supervisor, that would be
04:49:00 9 the sergeant on duty?
04:49:02 10 A. Yes.
04:49:07 11 Q. When a shift supervisor learns of a
04:49:09 12 suicidal prisoner, was it the policy in May of
04:49:12 13 2006 to institute constant supervision?
04:49:15 14 A. With a score of eight or more, yes.
04:49:18 15 Q. If someone had a shaded --
04:49:23 16 withdrawn.
04:49:24 17 If an inmate had a shaded box
04:49:27 18 checked but did not have eight or more, would you
04:49:32 19 consider that a suicidal prisoner?
04:49:35 20 A. No.
04:49:38 21 Q. Is that the policy of the
04:49:41 22 department, or is that your understanding?
04:49:47 23 A. It's from the training. The
04:49:49 24 training -- the supervisors go through the same
04:49:52 25 training as a correction officer. There is no

COMPU-TRAN SHORTHAND REPORTING

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Robert LeFever

1
04:49:54 2 next level of supervisory training. So, it's all
04:49:58 3 based on the training that you get and your years
04:50:00 4 of experience as a supervisor to make that
04:50:02 5 determination.
04:50:04 6 Q. Have you ever spoken to anyone from
04:50:07 7 the New York State Commission of Corrections
04:50:10 8 regarding shaded areas or shaded boxes and their
04:50:13 9 meaning?
04:50:16 10 A. No; but recently, in the last couple
04:50:19 11 of weeks, we talked to Mental -- the Office of
04:50:22 12 Mental Hygiene in Albany, and -- regarding this
04:50:25 13 form and the shaded boxes and the latest issue of
04:50:28 14 the form, and they're confused as well about the
04:50:31 15 shaded boxes.
04:50:34 16 Q. When you say "we," who spoke to --
04:50:37 17 A. Myself and Lieutenant O'Malley.
04:50:40 18 Q. And you said they're confused as far
04:50:43 19 as the form.
04:50:46 20 Can you explain what they indicated
04:50:49 21 to you?
04:50:52 22 A. They weren't sure -- I think they
04:50:55 23 weren't sure why the shaded boxes were constant
04:50:58 24 supervision. And they said that the training
04:51:01 25 hasn't been updated, and they're looking at that,

COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:51:20 2 **too.**
 04:51:21 3 **Q. Who was it that you spoke with?**
 04:51:22 4 **A. I don't remember her name.**
 04:51:23 5 **Q. She was with what office?**
 04:51:24 6 **A. Office of Mental Hygiene in Albany.**
 04:51:25 7 **MS. BERG: I think it's**
 04:51:26 8 **Mental Health.**
 04:51:27 9 **THE WITNESS: Is that what**
 04:51:28 10 **it is, Mental Health?**
 04:51:29 11 **MS. BERG: Yes.**
 04:51:30 12 **A. Office of Mental Health. Okay.**
 04:51:31 13 **Q. And this training that you referred**
 04:51:32 14 **to, is that something that the Putnam County**
 04:51:33 15 **Sheriff's Department has come up with, or is this**
 04:51:34 16 **New York State training? Who came up -- who**
 04:51:35 17 **comes up with this training?**
 04:51:36 18 **A. This is the training that's issued**
 04:51:37 19 **by the Commission -- jointly, the Commission and**
 04:51:38 20 **Office of Mental Health. And it's the original**
 04:51:39 21 **training from 1987 that they're looking at.**
 04:51:40 22 **Q. Have you ever had any discussions**
 04:51:41 23 **with Sheriff Smith as to whether a person who has**
 04:51:42 24 **a shaded box on a suicide screening form, is a**
 04:51:43 25 **suicidal prisoner?**
COMPU-TRAN SHORTHAND REPORTING

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1 **Robert LeFever**
 04:52:15 2 **A. Yes.**
 04:52:16 3 **Q. When was that?**
 04:52:17 4 **A. Recently.**
 04:52:18 5 **Q. Okay. What about before recently,**
 04:52:19 6 **though?**
 04:52:20 7 **A. I think, one other conversation.**
 04:52:21 8 **That was it.**
 04:52:22 9 **Q. Was it prior to Spencer Sinkov's**
 04:52:23 10 **death?**
 04:52:24 11 **A. I don't believe so.**
 04:52:25 12 **MR. KLEINBERG: Okay. I**
 04:52:26 13 **have no further questions for you, sir.**
 04:52:27 14 **Thank you.**
 04:52:28 15 **MS. BERG: Do you have**
 04:52:29 16 **questions?**
 04:52:30 17 **MS. MARGOLIS: No.**
 04:52:31 18 **MS. BERG: I assume you**
 04:52:32 19 **don't, Jim.**
 04:52:33 20 **FURTHER EXAMINATION BY MS. BERG:**
 04:52:34 21 **Q. Sticking with Exhibit 2, where we**
 04:52:35 22 **were just reading from, "Our supervisor will**
 04:52:36 23 **assure that constant supervision is immediately**
 04:52:37 24 **provided for the following types of prisoners:"**
 04:52:38 25 **"Suicidal prisoners" is the first category.**
COMPU-TRAN SHORTHAND REPORTING

1 **Robert LeFever**
 04:53:03 2 **For how long, to your knowledge, has**
 04:53:04 3 **that been the policy in the Putnam County**
 04:53:05 4 **Correctional Facility?**
 04:53:06 5 **A. 1988.**
 04:53:07 6 **Q. And you were instrumental in**
 04:53:08 7 **drafting this, correct?**
 04:53:09 8 **A. No.**
 04:53:10 9 **Q. Oh, you were not?**
 04:53:11 10 **A. No, I did not do that.**
 04:53:12 11 **Q. Did you have any input into this?**
 04:53:13 12 **A. No.**
 04:53:14 13 **Q. Do you know who did draft it?**
 04:53:15 14 **A. No, I do not.**
 04:53:16 15 **Q. Do you know if it was somebody**
 04:53:17 16 **higher than you in the chain of command?**
 04:53:18 17 **A. Yes.**
 04:53:19 18 **Q. And being that that was the policy**
 04:53:20 19 **since 1988, did you ever come to learn of a**
 04:53:21 20 **practice in the Putnam County Correctional**
 04:53:22 21 **Facility whereby inmates who were at high-risk**
 04:53:23 22 **for suicide were, in fact, put on a 15-minute**
 04:53:24 23 **watch, as opposed to a constant watch?**
 04:53:25 24 **A. No.**
 04:53:26 25 **Q. Were you ever made aware that that**
COMPU-TRAN SHORTHAND REPORTING

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1 **Robert LeFever**
 04:53:47 2 **happened from time to time?**
 04:53:48 3 **A. No.**
 04:53:49 4 **Q. Other than in Spencer's case?**
 04:53:50 5 **A. No.**
 04:53:51 6 **Q. Can you explain to me, then, why it**
 04:53:52 7 **is in or about November of 2005, you felt the**
 04:53:53 8 **need to put into a procedure, letter H:**
 04:53:54 9 **"15-minute supervisory visits are not adequate as**
 04:53:55 10 **a suicide prevention precaution?"**
 04:53:56 11 **A. It was just following up on the**
 04:53:57 12 **Chairman's Memorandum.**
 04:53:58 13 **Q. From October of '05?**
 04:53:59 14 **A. Yes.**
 04:54:00 15 **Q. Any other reason?**
 04:54:01 16 **A. No.**
 04:54:02 17 **Q. Did you have any other information**
 04:54:03 18 **at that point in time that individuals in the**
 04:54:04 19 **facility were using 15-minute watches as suicide**
 04:54:05 20 **precautions?**
 04:54:06 21 **A. No.**
 04:54:07 22 **Q. Including, for example, in the**
 04:54:08 23 **AmeriCor policies that we saw?**
 04:54:09 24 **A. No.**
 04:54:10 25 **Q. Did you inquire at that time to see**
COMPU-TRAN SHORTHAND REPORTING

Robert LaFever

1
2 If, in fact, individuals were put on high-risk
3 inmates on 15-minute watches?
4 A. No.
5 Q. And with respect to that
6 Commission's memorandum, did you do anything at
7 that time to ensure that members of the staff
8 were receiving that information, either through
9 training, at shift change, or anything else?
10 A. I don't remember.
11 Q. Any one-on-one with them that you
12 did? Anything along those lines?
13 A. Don't remember.
14 MS. BERG: I don't have
15 anything else.
16 MR. RANDAZZO: Anything
17 further?
18 MR. KLEINBERG: No. Thank
19 you very much.
20
21 ooo
22
23 (Time noted: 4:05 p.m.)
24
25

COMPU-TRAN SHORTHAND REPORTING

2 STATE OF NEW YORK)
3) ss
4 COUNTY OF ROCKLAND)
5
6
7 I, Donna Bochnik, Notary Public within
8 and for the State of New York, do hereby
9 certify:
10
11 That I reported the proceedings in the
12 within entitled matter, and that the within
13 transcript is a true record of said
14 proceedings.
15
16 I further certify that I am not
17 related to any of the parties to the action by
18 blood or marriage, and that I am in no way
19 interested in the outcome of this matter.
20
21 IN WITNESS WHEREOF, I have hereunto
22 set my hand this 10th day of February, 2008.
23
24
25

DONNA BOCHNIK,
NOTARY PUBLIC

COMPU-TRAN SHORTHAND REPORTING

216

1
2 STATE OF NEW YORK)
3) ss:
4 COUNTY OF WESTCHESTER)
5
6
7
8 I, ROBERT LEFEVER, the witness
9 herein, having read the foregoing testimony of
10 the pages of this deposition, do hereby certify
11 it to be a true and correct transcript, subject
12 to the corrections, if any, shown on the
13 attached page.
14
15
16 ooo
17
18
19
20 ROBERT LEFEVER
21
22 Subscribed and sworn to before me
23 this ____ day of ____, 2008.
24
25

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1 ***J N D = X***
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4
5 EXAMINATION BY:
6 Ms. Berg 4 10
7 Mr. Kleinberg 205 4
8 Ms. Berg 210 20
9
10 DOCUMENT/DATA REQUESTED:
11 NONE
12
13 PLAINTIFF'S EXHIBITS:
14 34 - Chairman's Memorandum 17-99, 15
15 November 1, 1999 89
16 35 - 10/5/05 Chairman's Memorandum 101 18
17 36 - Two-page Brief Jail Mental 104 15
18 Health Screen
19 37 - 9/18/05 Chairman Memorandum 105 8
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26 42 - Copy of computer screen with 194 2
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44 - Handwritten note entitled
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Rivera 201 20

DEFENDANT'S EXHIBITS:

NONE

RULINGS CONTEMPLATED:

NONE

COMPU-TRAN SHORTHAND REPORTING

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CORRECTION SHEET

Re: *DONNY A. SINKOV v. DONALD B. SMITH*

The following corrections, additions
or deletions were noted on the transcript of
the testimony which I gave in the above-
captioned matter, held on 1/30/08.

PAGE(S) LINE(S) SHOULD READ

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12	*	*	_____
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17	*	*	_____
18	*	*	_____

ROBERT LEFEVER

Subscribed and sworn to before me
this ___ day of _____ 2008.

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